

MONDAY, APRIL 6, 1998

EIGHTY-FIRST LEGISLATIVE DAY

The House met at 5:00 P.M. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Mitch McClure, Chattanooga, Tennessee.

Representative Wood led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Jackson; personal reasons.

RECESS

On motion, the House stood in brief recess.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

ROLL CALL DISPENSED WITH

On motion of Rep. Williams, the roll call was dispensed with.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 658: Rep(s). Hargrove as prime sponsor(s).

House Bill No. 2773: Rep(s). McMillan as prime sponsor(s).

House Bill No. 2842: Rep(s). Lewis and Ferguson as prime sponsor(s).

House Bill No. 2906: Rep(s). Walker(Blount), Bone, Givens, Godsey, Garrett, S. Jones, Dunn, J. DeBerry, McAfee, Mumpower, McDaniel, Sargent, Robinson, Burchett, Pinion, Bittle, Kent, Cole(Carter), Buck, Miller, Odom, Davidson and Winningham as prime sponsor(s).

House Bill No. 2949: Rep(s). Newton and Hargett as prime sponsor(s).

House Bill No. 3000: Rep(s). Williams, Ridgeway, Ferguson, Fowlkes, McDonald, Phillips, White, Caldwell, Arriola, Cross, Pinion, Sands, Stulce, Newton, Rhinehart, Davidson, Head, Curtiss, Windle, Lewis and Turner(Hamilton) as prime sponsor(s).

House Bill No. 3047: Rep(s). Whitson as first prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Hargett was/were removed as sponsor(s) of **House Bill No. 3313**.

MESSAGE FROM THE SENATE

April 2, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2482; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 2, 1998

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 2446, 2473, 2660, 3053, 3068 and 3303; also, House Joint Resolution(s) No(s). 500.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
April 2, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2223, 2225, 2281, 2345, 3099 and 3171; also, Senate Joint Resolution(s) No(s). 397 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 2, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 505, 573, 574, 575 and 576; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Joint Resolution No. 505** -- General Assembly, Directed Studies - Directs department of environment and conservation to study feasibility of creating state resort park along portions of Norris Lake, Clinch River and Big Sycamore Creek near convergence of Claiborne, Grainger and Hancock counties. by *Williams.

Senate Joint Resolution No. 573 -- Memorials, Academic Achievement - Laura Ann Moody, Valedictorian, Scotts Hill High School. by *Springer.

Senate Joint Resolution No. 574 -- Memorials, Death - Dr. B.L. Holladay. by *Springer.

Senate Joint Resolution No. 575 -- Memorials, Academic Achievement - Misty Leigh Hart, Salutatorian, Scotts Hill High School. by *Springer.

Senate Joint Resolution No. 576 -- Memorials, Recognition and Thanks - Nashville Banner. by *Henry, *Atchley, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L., *Dixon, *Elsea, *Ford J., *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J., *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams.

MESSAGE FROM THE SENATE
April 2, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2461, 2486, 2495, 2531, 2674, 2741, 3178 and 3395; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 2461** -- Taxes, Privilege - Phases in over three fiscal years credit against surcharge or tax on rental cars Amends TCA Title 67, Chapter 4, Part 19. by *Cooper.

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***Senate Bill No. 2486** -- Firearms and Ammunition - Specifies notice to be given prohibiting weapons from being carried on certain premises. Amends TCA Section 39-17-1359. by *Williams.

***Senate Bill No. 2495** -- Tort Liability - Raises from \$10,000 to \$50,000 liability limit of parents and guardians for wrongful and tortious acts committed by minors in their custody; authorizes courts to require maximum of 200 hours of community service for minors who willfully cause personal injury or destroy property Amends TCA Title 37, Chapter 10. by *Williams.

***Senate Bill No. 2531** -- Alcoholic Beverages - Authorizes "sports authority facility" to obtain liquor by the drink permit Amends TCA Section 57-4-101; Section 57-4-102; Section 57-4-201 and Section 57-4-203. by *Rochelle.

***Senate Bill No. 2674** -- Sexual Offenses - Requires sexual offenders who are considered for probation or other alternative sentencing to submit to formal evaluation for identification and monitoring purposes. Amends TCA Section 39-13-705(a). by *Kyle.

***Senate Bill No. 2741** -- Courts, General Sessions - Conforms, except for awarding of attorney fees, procedure for appointing substitute judge in general sessions or juvenile court to procedure for appointment of substitute judges in trial level courts Amends TCA Title 16, Chapter 15 and Title 17, Chapter 2. by *Person, *Kyle.

***Senate Bill No. 3178** -- Bonds and Undertakings, Regulation of - Requires underwriter or issuer of debt obligations by public entity to report, in advance, to such public entity estimated cost of issuance of such debt obligation. Amends TCA Section 9-21-151. by *Gilbert, *Henry.

Senate Bill No. 3395 -- Trenton - Subject to local approval, establishes at large rather than ward elections for board of aldermen, effective with September 1999 election. Amends Chapter 551 of the Acts of 1903; as amended. by *Carter.

**MESSAGE FROM THE SENATE
April 2, 1998**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3387, 3389, 3393, 3396 and 3398; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
April 2, 1998**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 630, 632, 633, 634, 635, 636, 637, 638, 639, 640 and 642; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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MESSAGE FROM THE SENATE

April 2, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2549, 2741, 2868, 2934, 3152 and 3223; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS

April 2, 1998

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 436, 464, 627, 628, 629 and 673; also, House Resolution(s) No(s). 150, 183, 184, 185 and 187.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 2, 1998

The Speaker signed the following: House Joint Resolution(s) No(s). 436, 464, 627, 628, 629 and 673; also, House Resolution(s) No(s). 150, 183, 184, 185 and 187.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 2, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2286; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 2, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3340; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 2, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3142; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MONDAY, APRIL 6, 1998 -- EIGHTY-FIRST LEGISLATIVE DAY

ENROLLED BILLS

April 2, 1998

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 630, 632, 633, 634, 635, 636, 637, 638, 639, 640 and 642.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 2, 1998

The Speaker signed the following: House Joint Resolution(s) No(s). 630, 632, 633, 634, 635, 636, 637, 638, 639, 640 and 642.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

April 6, 1998

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2610, 2740, 2864, 2908, 3095 and 3248, also, House Joint Resolution(s) No(s). 500, 579, 626 and 645; with his approval.

COURTNEY PEARRE, Counsel to the Governor.

SIGNED

April 6, 1998

The Speaker signed the following: Senate Bill(s) No(s). 2223, 2225, 2281, 2345, 3099 and 3171; also, Senate Joint Resolution(s) No(s). 397.

ENROLLED BILLS

April 6, 1998

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 2102, 2143, 2351, 2437, 2549, 2617, 2621, 2683, 2741, 2868, 2923, 2934, 3139, 3152, 3211, 3223, 3227, 3387, 3389, 3393, 3396 and 3398.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 6, 1998

The Speaker signed the following: House Bill(s) No(s). 2102, 2143, 2351, 2437, 2549, 2617, 2621, 2683, 2741, 2868, 2923, 2934, 3139, 3152, 3211, 3223, 3227, 3387, 3389, 3393, 3396 and 3398.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 6, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3222; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 6, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2916; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 6, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2662; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 6, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2079, 2463 and 3154; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 8, 1998:

House Joint Resolution No. 676 -- Memorials, Sports - 1997-1998 Grundy County High School girls' basketball team, TSSAA Class AA state champions. by *Lewis, *Rhinehart.

House Joint Resolution No. 677 -- Memorials, Sports - 1997-1998 Bradford High School girls' basketball team, TSSAA Class A state champions. by *Phelan.

House Joint Resolution No. 678 -- Memorials, Retirement - Tom Sutherland. by *Ford S.

House Joint Resolution No. 680 -- Memorials, Recognition and Thanks - Tri-City Regional Airport, 60th Anniversary. by *Mumpower, *Godsey, *Westmoreland.

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House Joint Resolution No. 681 -- Memorials, Heroism - Johnson County Korean War Veterans. by *Mumpower.

House Joint Resolution No. 683 -- Memorials, Sports - 1997-1998 Union University women's basketball team, NAIA Division 1 national champions. by *Kisber, *McDaniel.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 8, 1998:

Senate Joint Resolution No. 573 -- Memorials, Academic Achievement - Laura Ann Moody, Valedictorian, Scotts Hill High School. by *Springer.

Senate Joint Resolution No. 574 -- Memorials, Death - Dr. B.L. Holladay. by *Springer.

Senate Joint Resolution No. 575 -- Memorials, Academic Achievement - Misty Leigh Hart, Salutarian, Scotts Hill High School. by *Springer.

Senate Joint Resolution No. 576 -- Memorials, Recognition and Thanks - Nashville Banner. by *Henry, *Atchley, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L., *Dixon, *Elsea, *Ford J., *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 1137** -- Architects and Engineers - Authorizes the board of architects and engineers to accept application from other state if the applicant holds unexpired certificate from National Council of Architectural Registration Boards or the Council of Landscape Architectural Registration Boards. Amends TCA Section 62-2-304. by *Crowe.

***Senate Bill No. 2114** -- Sunset Laws - State board of education, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 1. by *Springer, *Womack.

***Senate Bill No. 2124** -- Sunset Laws - Department of education, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Springer, *Womack, *Dixon.

***Senate Bill No. 2172** -- Teachers - Requires employment, transfer, suspension, non-renewal, and dismissal of all school personnel to be in accordance with budget, applicable law, board policies and local negotiated agreements. Amends TCA Section 49-2-301(f) and Section 49-5-510. by *Kyle, *Graves, *Womack, *Springer.

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***Senate Bill No. 2313** -- Teachers - Provides for written notice and opportunity for hearing prior to dismissal of licensed, non-tenured school employees. Amends TCA Section 49-2-301(f). by *Springer.

Senate Bill No. 2324 -- Education - Requires penalties for violating zero tolerance policy to be imposed on case-by-case basis, taking into consideration specific infraction and intent of student in violating policy. Amends TCA Section 49-6-3401; Section 49-6-4018 and Section 49-6-4216. by *Dixon, *Harper.

***Senate Bill No. 2372** -- General Assembly, Studies - Creates task force to study issue of permitting system of open bids in purchasing procedures of municipal, county and state governments. by *Graves, *Womack.

***Senate Bill No. 2373** -- Safety - Specifies that state fire marshal and certified county building inspectors have sole authority over inspection of construction and renovation of public buildings. Amends TCA Title 68, Chapter 120. by *Graves.

***Senate Bill No. 2408** -- Taxes, Franchise - Extends deduction against the franchise tax for closely affiliated companies having inter-company indebtedness. Amends TCA Section 67-4-905. by *Womack.

***Senate Bill No. 2461** -- Taxes, Privilege - Phases in over three fiscal years credit against surcharge or tax on rental cars. Amends TCA Title 67, Chapter 4, Part 19. by *Cooper.

***Senate Bill No. 2486** -- Firearms and Ammunition - Specifies notice to be given prohibiting weapons from being carried on certain premises. Amends TCA Section 39-17-1359. by *Williams.

***Senate Bill No. 2495** -- Tort Liability - Raises from \$10,000 to \$50,000 liability limit of parents and guardians for wrongful and tortious acts committed by minors in their custody; authorizes courts to require maximum of 200 hours of community service for minors who willfully cause personal injury or destroy property. Amends TCA Title 37, Chapter 10. by *Williams.

***Senate Bill No. 2531** -- Alcoholic Beverages - Authorizes "sports authority facility" to obtain liquor by the drink permit. Amends TCA Section 57-4-101; Section 57-4-102; Section 57-4-201 and Section 57-4-203. by *Rochelle.

***Senate Bill No. 2661** -- County Officers - Authorizes \$1,500 annual incentive payment to certified public administrators. Amends TCA Title 5, Chapter 1, Part 3. by *Henry.

***Senate Bill No. 2674** -- Sexual Offenses - Requires sexual offenders who are considered for probation or other alternative sentencing to submit to formal evaluation for identification and monitoring purposes. Amends TCA Section 39-13-705(a). by *Kyle.

***Senate Bill No. 2706** -- Fiscal Review Committee - Establishes division in fiscal review committee to monitor, analyze and manage certain federal grant activities and information. Amends TCA Title 3, Chapter 7. by *Dixon, *Harper.

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***Senate Bill No. 2741** -- Courts, General Sessions - Conforms, except for awarding of attorney fees, procedure for appointing substitute judge in general sessions or juvenile court to procedure for appointment of substitute judges in trial level courts Amends TCA Title 16, Chapter 15 and Title 17, Chapter 2. by *Person, *Kyle.

***Senate Bill No. 2778** -- Education - Deletes requirement that K-6 character education curriculum be that developed by American Institute for Character Education of San Antonio, Texas. Amends TCA Section 49-6-1007. by *Burks.

***Senate Bill No. 3059** -- Urban Affairs - Defines "blighted" or "deteriorated" property. Amends TCA Title 13, Chapter 20 and Title 13, Chapter 21. by *Ford J.

***Senate Bill No. 3156** -- Culture - Exempts certain not-for-profit arts organizations from property taxation. Amends TCA Title 67, Chapter 5, Part 2. by *Cohen, *Harper, *Crowe.

***Senate Bill No. 3178** -- Bonds and Undertakings, Regulation of - Requires underwriter or issuer of debt obligations by public entity to report, in advance, to such public entity estimated cost of issuance of such debt obligation. Amends TCA Section 9-21-151. by *Gilbert, *Henry.

Senate Bill No. 3395 -- Trenton - Subject to local approval, establishes at large rather than ward elections for board of aldermen, effective with September 1999 election. Amends Chapter 551 of the Acts of 1903; as amended. by *Carter.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3413 -- Williamson County -- Local Bill Held on House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met at 5:30 p.m. on **April 1, 1998**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar for April 8, 1998**: House Bill(s) No(s). 2758, 1533, 2764, 2429, 2380, 965, 2628, 2626, 3023, 2605, 2414, 2293 and 1312.

The Committee set the following bill(s) and/or resolution(s) on the **Regular Calendar for April 9, 1998**: House Bill(s) No(s). 2907.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar for April 6, 1998**: 2244, 3083, 2749, 2892, 1656, House Joint Resolution(s) No(s). 568, 575 and 581.

CONSENT CALENDAR

House Bill No. 2035 -- County Officers - Permits increase of county officials' salaries upon resolution of county legislative body of Williamson County. Amends TCA Title 8, Chapter 24. by *Sargent, *Williams (Williamson). (*SB2042 by *Jordan)

House Bill No. 2927 -- Utilities, Utility Districts - Authorizes water and/or sewer utility, operated by metropolitan government, to participate with local housing authority to provide certain services. Amends TCA Title 7, Chapter 3, Part 3. by *Jones, S., *Garrett, *Langster, *Robinson. (*SB2530 by *Rochelle)

On motion, **House Bill No. 2927** was made to conform with **Senate Bill No. 2530**; the Senate Bill was substituted for the House Bill.

House Bill No. 3009 -- Courts, Juvenile - Directs council of juvenile and family court judges to appoint staff attorney. Amends TCA Section 37-1-503. by *Turner (Hamilton), *Pruitt, *McMillan. (*SB2739 by *Person)

***House Joint Resolution No. 468** -- Memorials, Congress - Requests action to be taken to have language in U.S. Constitution, Article I, Section 2, relating to formula for apportioning seats in house of representatives edited from future printings of constitution. by *Cooper B, *Brooks, *Miller L, *Turner (Shelby), *Pruitt, *Armstrong, *Jones U (Shelby), *Bowers.

***House Bill No. 2128** -- Highways, Roads and Bridges - Urges Tennessee department of transportation to begin environmental studies and preliminary engineering on Highway 100 from Centerville to Nashville. by *Jackson, *Williams (Williamson), *Buck. (SB2213 by *Springer, *Henry, *Haynes)

On motion, House Bill No. 2128 was made to conform with **Senate Bill No. 2213**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 568** -- Highway Signs - "Sterling Edgar Stovall Memorial Bridge," S.R. 273 in Giles County. by *Fowlkes.

***House Joint Resolution No. 575** -- Highway Signs - "Carter-Wilson Bridge," S.R. 273 between Elkton and Prospect, Giles County. by *Fowlkes.

***House Joint Resolution No. 581** -- Highway Signs - "R. Morris Harwell Bridge," Bradshaw Creek, U.S. 64, Giles County. by *Fowlkes, *Sands, *White.

***House Bill No. 2244** -- Private Protective Services - Exempts retired law enforcement officer from licensing requirements for armed security officers/guards provided person completes firearms and marksmanship training and has written directive from executive supervisor of employer authorizing person to carry handgun. Amends TCA Section 62-35-103. by *West. (SB2629 by *Haynes)

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***House Bill No. 3083** -- Vital Statistics - Requires certain physicians and medical officers to examine X-rays and take other appropriate actions prior to certifying sudden infant death syndrome as cause of death. Amends TCA Section 68-3-502. by *Bird, *Newton, *Kent, *Armstrong. (SB3275 by *Miller J)

House Bill No. 2749 -- Trademarks and Trade Names - Redefines "trademark" to include names, emblems or insignias of the "United States Olympic Committee" or "International Olympic Committee." Amends TCA Title 47, Chapter 25. by *Hargett. (*SB2755 by *Person)

On motion, House Bill No. 2749 was made to conform with **Senate Bill No. 2755**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2892** -- Aged Persons - Continues respite care program in Gibson County. by *Phelan. (SB3106 by *Carter)

House Bill No. 1656 -- Architects and Engineers - Authorizes the board of architects and engineers to accept application from other state if the applicant holds unexpired certificate from National Council of Architectural Registration Boards or the Council of Landscape Architectural Registration Boards. Amends TCA Section 62-2-304. by *Westmoreland. (*SB1137 by *Crowe)

On motion, House Bill No. 1656 was made to conform with **Senate Bill No. 1137**; the Senate Bill was substituted for the House Bill.

House Bill No. 3399 -- Trenton - Subject to local approval, establishes at large rather than ward elections for board of aldermen, effective with September 1999 election. Amends Chapter 551 of the Acts of 1903; as amended. by *Phelan. (SB3395 by *Carter)

House Bill No. 3400 -- Trenton - Subject to local approval, requires city judge's salary to be set two months before election and caps such salary at \$20,000 a year. Amends Chapter 551 of the Acts of 1903; as amended. by *Phelan. (SB3394 by *Carter)

House Bill No. 3401 -- Williamson County - Subject to local approval, revises borrowing power of the board of trustees for the Williamson County Hospital District. Amends Chapter 107 of the Private Acts of 1957; as amended. by *Sargent, *Williams (Williamson). (SB3393 by *Jordan)

House Bill No. 3402 -- Smith County - Subject to local approval, enacts "Smith County Mobile Home Park Regulations." by *Buck.

House Bill No. 3404 -- Roane County - Subject to local approval, requires proof of building permit before utilities can be connected to structure. by *Ferguson. (SB3409 by *Davis L)

House Bill No. 3405 -- Pleasant Hill - Subject to local approval, establishes staggered terms for city council members; removes authority of nonresident property owners to vote; sets salary of mayor at \$50.00 a month and council members at \$25.00 a month. Amends Chapter 140 of the Private Acts of 1963, as amended. by *Curtiss. (SB3402 by *Davis L)

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House Bill No. 3406 -- Camden - Subject to local approval, revises term of mayor from two to four years. Amends Chapter 350 of the Acts of 1903; as amended. by *Tidwell. (SB3404 by *Herron)

House Joint Resolution No. 653 -- Memorials, Retirement - Buford Gardiner. by *Fowlkes.

House Joint Resolution No. 654 -- Naming and Designating - "Mario Reed Day," April 18, 1998. by *Haley.

House Joint Resolution No. 655 -- Memorials, Heroism - Johnson County's Vietnam Veterans. by *Mumpower.

House Joint Resolution No. 656 -- Memorials, Sports - White County High School Boys Basketball Team, 1998 TSSAA Class AAA state champions. by *Curtiss, *Rhinehart.

House Joint Resolution No. 657 -- Memorials, Sports - 1997 Clarksville Academy football team, TSSAA Class 1-A state runner-up. by *Head, *McMillan.

House Joint Resolution No. 658 -- Memorials, Personal Occasion - Birth of Jessie Bryant Hart. by *Turner (Hamilton).

House Joint Resolution No. 659 -- Memorials, Sports - Rick Honeycutt, star pitcher. by *Turner (Hamilton), *McAfee, *Stulce, *Wood, *Sharp, *Brown.

House Joint Resolution No. 660 -- Memorials, Recognition and Thanks - Angela Hall. by *Halteman Harwell.

House Joint Resolution No. 661 -- Memorials, Recognition and Thanks - Stan Metz. by *Kerr.

House Joint Resolution No. 662 -- Memorials, Recognition and Thanks - Michelle Ashcraft. by *Chumney.

House Joint Resolution No. 663 -- Memorials, Recognition and Thanks - Angel Clevenshire. by *Goins.

House Joint Resolution No. 664 -- Memorials, Recognition and Thanks - Victorian Aran Moore. by *Patton.

House Joint Resolution No. 665 -- Memorials, Recognition and Thanks - Shetika Hutcherson. by *Ridgeway, *Maddox.

House Joint Resolution No. 666 -- Memorials, Recognition and Thanks - Vitessa "Tessa" Forstner. by *Bone.

House Joint Resolution No. 667 -- Memorials, Recognition and Thanks - John Guinn. by *Scroggs.

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House Joint Resolution No. 668 -- Memorials, Recognition and Thanks - Jennifer McKenzie Patterson. by *Fitzhugh, *Rinks.

House Joint Resolution No. 669 -- Memorials, Recognition and Thanks - Mary Curd. by *Williams (Williamson), *Jackson.

House Joint Resolution No. 670 -- Memorials, Recognition and Thanks - April Lynn Neelley. by *Turner (Hamilton).

House Joint Resolution No. 671 -- Memorials, Recognition and Thanks - Gina Thomas. by *Brown.

House Joint Resolution No. 672 -- Memorials, Public Service - Willie Robinson. by *Turner (Hamilton).

House Joint Resolution No. 675 -- Memorials, Recognition and Thanks - Houston High School Concert Choir. by *Scroggs.

Senate Joint Resolution No. 544 -- Memorials, Academic Achievement - Amanda Jean Albrecht, Salutatorian, Beech High School. by *Graves.

Senate Joint Resolution No. 545 -- Memorials, Academic Achievement - Kirk Walker Graves, 1998 Valedictorian, Beech High School. by *Graves.

Senate Joint Resolution No. 546 -- Memorials, Academic Achievement - Kelly Nicole Conyer, Valedictorian, Westmoreland High School. by *Graves.

Senate Joint Resolution No. 547 -- Memorials, Academic Achievement - Brandon Davis Williams, Salutatorian, Westmoreland High School. by *Graves.

Senate Joint Resolution No. 548 -- Memorials, Academic Achievement - Neisha Michele Coleman, Valedictorian, Westmoreland High School. by *Graves.

Senate Joint Resolution No. 549 -- Memorials, Academic Achievement - Matthew Chase Cox, 1998 Valedictorian, Westmoreland High School. by *Graves.

Senate Joint Resolution No. 550 -- Memorials, Academic Achievement - James Brandon Owen, Salutatorian, East Robertson High School. by *Graves.

Senate Joint Resolution No. 551 -- Memorials, Academic Achievement - Bill Frey, Valedictorian, East Robertson High School. by *Graves.

Senate Joint Resolution No. 552 -- Memorials, Academic Achievement - Thea Lu, 1998 Valedictorian, Hendersonville High School. by *Graves.

Senate Joint Resolution No. 553 -- Memorials, Academic Achievement - Edward Huang, Salutatorian, Hendersonville High School. by *Graves.

Senate Joint Resolution No. 554 -- Memorials, Academic Achievement - Melanie Kirkham, Salutatorian, Hendersonville High School. by *Graves.

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Senate Joint Resolution No. 559 -- Memorials, Personal Occasion - JoAnne and John Deakins, 50th Wedding Anniversary. by *Crowe.

Senate Joint Resolution No. 560 -- Memorials, Professional Achievement - Dr. Samuel H. Humphreys, President, Washington College Academy. by *Crowe, *Kyle.

Senate Joint Resolution No. 562 -- Memorials, Retirement - Dr. Robert J. Smallridge. by *McNally, *Williams.

Senate Joint Resolution No. 563 -- Memorials, Recognition and Thanks - Lions Club for contributions to Recording for the Blind and Dyslexic in Oak Ridge. by *McNally.

Senate Joint Resolution No. 564 -- Memorials, Recognition and Thanks - C.C. "Wilkie" Wilkerson, 25th Annual Frayser Judo Tournament. by *Person, *Kyle.

Senate Joint Resolution No. 566 -- Memorials, Professional Achievement - Kem Gardner Hinton. by *Womack, *Cooper, *Haynes, *Harper, *Henry.

Senate Joint Resolution No. 569 -- Memorials, Professional Achievement - Roger Brashears, Jr. by *Cooper.

Senate Joint Resolution No. 570 -- Memorials, Sports - 1997-1998 Dickson County High School girls' basketball team. by *Springer, *Kyle.

Senate Joint Resolution No. 587 -- Memorials, Death - Bella Abzug. by *Harper.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 2035: by Rep. Head

House Bill No. 3399: by Rep. Cooper

House Joint Resolution No. 468: by Rep. Stamps

Under the rules, House Bill No: 2035, 3399 and House Joint Resolution(s) No(s). 468 was/were placed at the foot of the calendar for April 8, 1998.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	98
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. L. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 684 out of order, which motion prevailed.

House Joint Resolution No. 684 -- Memorials, Sports - University of Tennessee Lady Volunteers, 1998 NCAA Women's Basketball Champions. by *DeBerry L, *Head, *Naifeh.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. L. DeBerry, with the request that all members voting aye be added as sponsors, with women listed first and the Knoxville delegation listed second, the resolution was adopted by the following vote:

Ayes 98
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 3012 -- Motor Vehicles - Revises from one day to seven days time within which local law enforcement agency should forward written report of motor vehicle accident to department of safety; requires department to monitor timeliness of forwarding of such reports. Amends TCA Section 55-10-108. by *Westmoreland. (*SB2607 by *Herron)

Further consideration of House Bill No. 3012 previously considered on March 30, 1998, and reset to today's Calendar.

Rep. Westmoreland moved that House Bill No(s). 3012 be reset for the Regular Calendar on April 9, 1998, which motion prevailed.

House Bill No. 3217 -- Alcoholic Beverages - Redefines "convention center" in relation to premises where certain alcoholic beverages can be consumed. Amends TCA Section 57-4-102(10)(A). by *Jones, S., *West, *Jones, S., *Langster, *Arriola, *Boner, *Robinson, *Odom, *Halteman Harwell. (*SB2795 by *Crutchfield)

Further consideration of House Bill No. 3217 previously considered on March 9, 1998, March 23, 1998, and March 30, 1998, and reset to today's Calendar.

Rep. S. Jones moved that House Bill No. 3217 be passed on third and final consideration.

Rep. S. Jones moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3217 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall only apply in any county having a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 1990 federal census or any subsequent federal census.

On motion, Amendment No. 1 was adopted.

Rep. S. Jones moved that **House Bill No. 3217**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	50
Noes	31
Present and not voting	13

Representatives voting aye were: Arriola, Bittle, Bone, Boner, Brown, Buck, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis, DeBerry J., Eckles, Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Gunnels, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Huskey, Kent, Kernell, Kisber, McKee, McMillan, Newton, Phelan, Rhinehart, Ridgeway, Rinks,

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Roach, Robinson, Sands, Sargent, Scroggs, Stamps, Tindell, Turner (Hamilton), West, Westmoreland, Whitson, Williams, Mr. Speaker Naifeh -- 50.

Representatives voting no were: Beavers, Bowers, Burchett, Cooper, Cross, Dunn, Ferguson, Ford, Godsey, Goins, Haley, Hargett, Hood, Maddox, McAfee, McDaniel, McDonald, Mumpower, Phillips, Pinion, Pleasant, Sharp, Stulce, Towns, Turner (Shelby), Walker (Rhea), Walley, White, Windle, Winningham, Wood -- 31.

Representatives present and not voting were: Armstrong, Bird, Boyer, Jones U., Kerr, Langster, Lewis, Miller, Patton, Pruitt, Ritchie, Tidwell, Walker (Blount) -- 13.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from not voting to aye on House Bill No. 3217 and have this statement entered in the Journal: Rep(s). Brooks.

REGULAR CALENDAR, CONTINUED

House Bill No. 3102 -- Animals - Enacts "Tennessee Spay/Neuter Law." Amends TCA Title 44, Chapter 17. by "Burchett. (*SB2540 by *Davis L)

Further consideration of House Bill No. 3012 previously considered on March 30, 1998, and reset to today's Calendar.

Rep. Burchett moved that House Bill No. 3102 be passed on third and final consideration.

Rep. Givens moved adoption of Agriculture Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3102 by deleting subsection (a) of Section 9 of the introduced bill.

On motion, Amendment No. 1 was adopted.

Rep. Whitson moved the previous question, which motion prevailed.

Rep. Burchett moved that **House Bill No. 3102**, as amended, be passed on third and final consideration, which motion failed by the following vote:

Ayes	42
Noes	46
Present and not voting	3

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Representatives voting aye were: Armstrong, Bird, Bone, Bowers, Boyer, Burchett, Caldwell, Chumney, Cole (Carter), Davidson, Davis, DeBerry L., Dunn, Eckles, Ferguson, Ford, Halteman-Harwell, Head, Huskey, Jones S., Jones U., Kent, McAfee, McDaniel, McDonald, McMillan, Mumpower, Newton, Odom, Patton, Phillips, Rhinehart, Robinson, Sands, Sargent, Stamps, Stulce, Tindell, Walker (Rhea), White, Whitson, Windle -- 42.

Representatives voting no were: Arriola, Beavers, Bittle, Boner, Brooks, Brown, Buck, Cole (Dyer), Cross, Curtiss, DeBerry J., Fitzhugh, Fowlkes, Givens, Godsey, Goins, Gunnels, Haley, Hargett, Hargrove, Hassell, Hicks, Hood, Kernell, Kerr, Kisber, Lewis, Maddox, McKee, Miller, Phelan, Pinion, Pleasant, Ridgeway, Rinks, Roach, Scroggs, Sharp, Tidwell, Turner (Shelby), Walker (Blount), Walley, West, Westmoreland, Williams, Wood -- 46.

Representatives present and not voting were: Cooper, Fraley, Towns -- 3.

Having failed to receive a constitutional majority, House Bill No. 3102 was re-referred to the Committee on Calendar & Rules.

Senate Bill No. 1638 -- Alcoholic Beverages - Redefines "restaurant" to include gourmet coffee houses to authorize sale and consumption of alcoholic beverages on such premises; to be located in city of more than 100,000, seating capacity of at least 30; with 50% of sales from coffees, teas and pastries. Amends TCA Section 57-4-102(19). by *Ford J, *Crutchfield. (*HB1281 by *Brown, *Turner (Shelby))

Further consideration of Senate Bill No. 1638 previously considered on April 2, 1997, at which time the bill was re-referred to the Committee on Calendar & Rules. The bill was also considered on March 16, 1998, at which time the Senate Bill was substituted for the House Bill and reset to today's Calendar.

Rep. Brown moved that Senate Bill No. 1638 be passed on third and final consideration.

Rep. Brown requested that Senate Bill No. 1638 be moved to the heel of the Calendar.

House Bill No. 2666 -- Anatomical Gifts - Authorizes special procedures and interstate reciprocal agreements concerning donation of vascular organs. Amends TCA Title 68, Chapter 30, Part 1. by *Williams (Williamson), *Bone, *McMillan. (*SB2592 by *Herron)

Further consideration of House Bill No. 2666 previously considered on March 2, 1998, March 5, 1998, and March 19, 1998, and reset to today's Calendar.

Rep. Williams moved that House Bill No. 2666 be re-referred to the Committee on Calendar & Rules, which motion prevailed.

House Bill No. 3213 -- Tennessee Wildlife Resources Agency - Authorizes director to make expenditures from wetlands acquisition fund to purchase "three sisters tract"/"Cameron, Trash and Orr tract" in Blount and Sevier counties. Amends TCA Section 11-14-401. by *Cross, *Walker (Blount). (*SB3195 by *Clabough)

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Further consideration of House Bill No. 3213 previously considered on March 19, 1998, and reset to today's Calendar.

Rep. Cross moved that House Bill No. 3213 be re-referred to the Committee on Calendar & Rules, which motion prevailed.

***House Bill No. 2906** -- Safety, Dept. of - Enacts "Safe Neighborhoods Act of 1998." Amends TCA Title 4, Chapter 3, Part 20 and Title 38, Chapter 8, by *Hargrove, *Jones U (Shelby), *DeBerry L, *Naifeh, *Rinks, *Arriola, *McDonald, *Kisber, *Williams (Williamson), *Frale, *Hood, *Fitzhugh, *West, *Maddox, *Stulce, *Sands, *Ridgeway, *Robinson, *Chumney, *Cole (Dyer), *Pruitt, *White, *Cooper B, *Ritchie, *McMillan, *Lewis, *Newton, *Langster, *Turner (Hamilton), *Pleasant, *Haley, *Hargett. (SB3128 by *Rochelle, *Crutchfield)

Rep. Hargrove moved that House Bill No. 2906 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2906 By deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 8, Part 1, is amended by adding the following as a new section:

Section ____.

(a) This section shall be known and may be cited as the "Safe Neighborhoods Act of 1998"

(b) By October 1, 1998 the department of safety shall establish within the department a program to award state law enforcement assistance grants to local governmental agencies from money appropriated by the general appropriations act. The exclusive purpose of such grants is to assist local governments in meeting the local funding requirement necessary to receive a grant under the federal "Violent Crime Control and Law Enforcement Act of 1994" for a portion of the costs associated with the employment of new law enforcement officers by such local government.

(b) The department is authorized to promulgate in accordance with the provisions of Tennessee Code Annotated Title 4, Chapter 5 all rules necessary to establish and administer such grant program. Provided, however, no such rule or departmental policy shall be promulgated or interpreted contrary to the following guidelines:

1) All state grants to local governmental agencies shall be awarded on a first come first serve basis.

2) The number of state grants awarded in a fiscal year is dependant on the amount of money appropriated for such grants and the number of qualified and conforming grant applications. Nothing in this subpart shall be construed to mean that all money appropriated during a fiscal year for such state grants must be awarded during that year if there are an insufficient number of qualified and conforming applications.

3) No state grant shall exceed ten percent (10%) of the amount of the grant the local government has been approved to receive from the federal government.

4) In order to receive a state grant pursuant to this section for the federal local funding requirement, the local governmental entity must have been approved for a Universal Hiring Program grant under the "Violent Crime Control and Law Enforcement Act of 1994" that is for the exclusive purpose of providing financial assistance for the employment of additional law enforcement officers in such locality.

Section 2. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Hargrove moved that **House Bill No. 2906**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 98
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

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***House Bill No. 2080** -- Historical Commission - Requires six members of commission to be academically-trained historians with master's degree in history, two from each grand division; three to be African-American, one from each grand division; appointments to be made as vacancies occur or at expiration of terms. Amends TCA Section 4-11-102. by *Pruitt, *Brooks, *Langster, *Bird. (SB2322 by *Dixon)

Further consideration of House Bill No. 2080 previously considered on March 26, 1998, and reset to today's Calendar.

Rep. Pruitt moved that House Bill No(s). 2080 be reset for the Regular Calendar on April 16, 1998, which motion prevailed.

House Bill No. 3258 -- Equalization Board - Revises membership of state board of equalization to include member who represents taxpayers in contested cases. Amends TCA Title 4. by *Jones U (Shelby). (*SB3233 by *Person)

Rep. U. Jones moved that House Bill No(s). 3258 be reset for the Regular Calendar on April 20, 1998, which motion prevailed.

***House Bill No. 2349** -- Sunset Laws - Tennessee state racing commission, June 30, 1999. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 36. by *Jones U (Shelby), *Towns, *Armstrong, *Cooper B, *Bowers. (SB2678 by *Kyle)

Rep. U. Jones moved that House Bill No. 2349 be re-referred to the Committee on Calendar & Rules, which motion prevailed.

***House Bill No. 2350** -- Sunset Laws - Tennessee state racing commission, June 30, 1998. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 36. by *Jones U (Shelby), *Towns, *Armstrong, *Cooper B, *Bowers. (SB2679 by *Kyle)

Rep. U. Jones moved that House Bill No. 2350 be re-referred to the Committee on Calendar & Rules, which motion prevailed.

***House Bill No. 2560** -- Sexual Offenses - Creates Class E felony offense of adult soliciting minor to engage in conduct that would constitute offense of rape of child, aggravated rape, rape, aggravated sexual battery, sexual battery, statutory rape or especially aggravated sexual exploitation of minor. Amends TCA Title 39, Chapter 13, Part 5. by *Jackson, *Newton, *Buck. (SB2853 by *Springer)

On motion, House Bill No. 2560 was reset to the Calendar for April 13, 1998, without objection.

***House Bill No. 2571** -- Environmental Preservation - Requires commissioner of environment and conservation to maintain list of general permits and persons operating thereunder, list to be available to public and posted on Internet Amends TCA Title 68 and Title 69. by *Jackson, *Buck. (SB2861 by *Springer)

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On motion, House Bill No. 2571 was reset to the Calendar for April 13, 1998, without objection.

***House Bill No. 2513** -- Emergency Communications Districts - Add non-emergency care to care provided by EMTs. Amends TCA Title 68, Chapter 140, Part 5, by *Jackson, *Jones U (Shelby), *Armstrong, *Buck. (SB2836 by *Ramsey, *Springer, *Ford J)

On motion House Bill No. 2513 was reset to the Calendar for April 13, 1998, without objection.

***House Bill No. 2341** -- Driver Licenses - Requires driver license applicants who do not speak English to provide own interpreter if needed for assistance with application and required examinations. Amends TCA Title 55, Chapter 50, by *Burchett, *Robinson, *White. (SB2446 by *Haun)

Rep. Burchett moved that House Bill No. 2341 be passed on third and final consideration.

Rep. Burchett requested that House Bill No. 2341 be moved to the heel of the Calendar.

House Bill No. 3100 -- Animals - Deletes authorized use of chloroform chambers for puppies and kittens; authorizes use of sodium pentobarbital or other injectable barbiturate; gives discretion to animal shelters to adopt, sell or dispose of certain animals instead of requiring destruction of animal. Amends TCA Title 39, Chapter 14, Part 2; Title 44, Chapter 17, Part 3 and Title 68, Chapter 8, Part 1, by *Burchett. (*SB2347 by *Crowe)

Rep. Burchett moved that House Bill No. 3100 be passed on third and final consideration.

Rep. Givens moved adoption of Agriculture Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3100 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 44-17-303, is amended by deleting subdivision (2) in its entirety and by substituting instead the following language:

(2) For puppies and kittens under four (4) months of age, sodium pentobarbital or other injectable barbiturates shall be used; and;

SECTION 2. Tennessee Code Annotated, Section 44-17-303, is further amended by deleting subdivision (5) in its entirety, by adding the following language as new subdivisions (5) and (6), and by redesignating subdivision (6) as subdivision (7):

(5) By sodium pentobarbital or other injectable barbiturates;

(6) Notwithstanding any provision of this section, animal shelters, dog pounds, animal control agencies, or humane shelters as defined in § 44-17-302, may also use other drugs as authorized for use in certified animal control agencies by the board of veterinary medical examiners pursuant to title 63, chapter 12, or as otherwise provided by law; and

SECTION 3. Tennessee Code Annotated, Section 44-17-304, is amended by deleting the first sentence in its entirety and by substituting instead the following language:

The construction and use of carbon monoxide chambers shall conform to the recommendations of the American Humane Association, the American Veterinary Medical Association or the Humane Society of the United States.

SECTION 4. Tennessee Code Annotated, Section 44-17-305, is deleted in its entirety.

SECTION 5. Tennessee Code Annotated, Section 68-8-109, is amended by deleting the section in its entirety and by substituting instead the following language:

68-8-109. (a) Any dog found running at large may be seized by the proper health authorities, a peace officer, or an animal control officer and placed in a shelter or facility as is defined in § 44-17-302, in cities or counties where such shelter or facility is available.

(b) If a dog that has been seized as described in subsection (a) above is wearing a tag, the owner shall be notified by a postcard addressed to the owner's last-known mailing address to appear within five (5) days and redeem the dog by paying a pound fee established by local authorities, or the dog may be destroyed. If the dog's owner does not appear to redeem the dog within five (5) days, the dog shall become the property of the shelter or facility.

(c) If a dog that has been seized as described in subsection (a) above is not wearing a tag, the dog shall become the property of the shelter or facility unless legally claimed by its owner within two (2) days.

SECTION 6. Tennessee Code Annotated, Section 39-14-210, is amended by deleting subsection (c) in its entirety and by substituting instead the following language:

(c) When any animal comes into the possession of such society as a result of cruelty, through abandonment, or otherwise:

(1) Any agent or officer of such society may lawfully destroy such animal, or cause it to be destroyed, if such animal is not properly cared for, appearing, in the judgment of a licensed veterinarian or two (2) reputable citizens, who are experts, called to view such animal in the agent's or officer's presence, to be glanderred, injured, diseased, or otherwise harmed past humane recovery; or

(2) After a holding period of not less than seventy-two (72) hours and after having made a reasonable effort to locate and notify the owners, such animal shall become the property of such society.

SECTION 7. No provision of this act shall be construed as affecting or superseding the exemption of hunting dogs and herding dogs from the running at large law provided for in Tennessee Code Annotated, Section 44-8-408.

SECTION 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 9. This act shall take effect July 1, 1998, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Burchett moved that **House Bill No. 3100**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	91
Noes	0
Present and not voting	3

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDonald, McKee, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Brooks, Fraley, Hargett -- 3.

A motion to reconsider was tabled.

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House Bill No. 2902 -- Taxes, Personal Property - Substitutes surface transportation board for interstate commerce comptroller as certifying boats and barges subject to taxation by comptroller. Amends TCA Section 67-5-1301. by *Kisber. (*SB3012 by *Henry)

Rep. Kisber moved that House Bill No. 2902 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2902 by deleting Section 1 of the printed bill and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-1301(13), is hereby amended by deleting the language "and which hold a certificate of convenience and necessity from the department of transportation, the interstate commerce comptroller or any other federal or state regulatory agency." And by substituting instead the following language:

which are registered with the U.S. Army Corps of Engineers or any other federal or state agency and/or domiciled in this state and/or owning or leasing real or personal property located in this state.

On motion, Amendment No. 1 was adopted.

Rep. Kisber moved that **House Bill No. 2902**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 2880** -- Tennessee Housing Development Agency - Increases amount to be retained in THDA housing program fund from \$6 million to \$8 million for fiscal year ending 6/30/98. Amends TCA Section 13-23-402. by *McDaniel, *Kent. (SB3094 by *Atchley)

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On motion, House Bill No. 2880 was made to conform with **Senate Bill No. 3094**; the Senate Bill was substituted for the House Bill.

Rep. McDaniel moved that Senate Bill No. 3094, be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 3094 By deleting the language "eight million dollars (\$8,000,000) from the amendatory language of Section 1 and by substituting instead the language "nine million dollars (\$9,000,000).

On motion, Amendment No. 1 was adopted.

Rep. McDaniel requested that Senate Bill No. 3094 be moved to the heel of the Calendar.

Senate Bill No. 1638 -- Alcoholic Beverages - Redefines "restaurant" to include gourmet coffee houses to authorize sale and consumption of alcoholic beverages on such premises; to be located in city of more than 100,000, seating capacity of at least 30; with 50% of sales from coffees, teas and pastries. Amends TCA Section 57-4-102(19). by *Ford J, *Crutchfield. (*HB1281 by *Brown, *Turner (Shelby))

Further consideration of Senate Bill No. 1638 previously considered on today's Calendar.

Rep. Brown moved that **Senate Bill No. 1638** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	52
Noes	32
Present and not voting	10

Representatives voting aye were: Armstrong, Arriola, Bittle, Bone, Bowers, Brooks, Brown, Buck, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Davis, DeBerry J., DeBerry L., Eckles, Fitzhugh, Fowlkes, Givens, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Huskey, Jones S., Jones U., Kent, Kernell, Kisber, Langster, McMillan, Miller, Newton, Odum, Phelan, Pruitt, Rinks, Ritchie, Sands, Sargent, Scroggs, Stamps, Tindell, Towns, Turner (Ham), Turner (Shelby), West, Whitson, Williams, Mr. Speaker Naifeh -- 52.

Representatives voting no were: Beavers, Boner, Burchett, Cross, Curtiss, Davidson, Dunn, Ferguson, Ford, Godsey, Goins, Haley, Hargett, Hood, Maddox, McAfee, McDaniel, McDonald, McKee, Mumpower, Phillips, Pinion, Pleasant, Ridgeway, Roach, Sharp, Stulce, Walley, White, Windle, Winningham, Wood -- 32.

Representatives present and not voting were: Bird, Boyer, Fraley, Kerr, Lewis, Patton, Tidwell, Walker (Blount), Walker (Rhea), Westmoreland -- 10.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from no to aye on Senate Bill No.1638 and have this statement entered in the Journal: Rep(s). Winningham.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2341** -- Driver Licenses - Requires driver license applicants who do not speak English to provide own interpreter if needed for assistance with application and required examinations. Amends TCA Title 55, Chapter 50. by *Burchett, *Robinson, *White. (SB2446 by *Haun)

Further consideration of House Bill No. 2341 previously considered on today's Calendar.

Rep. Burchett moved that House Bill No. 2341 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2341 by deleting Section 1 in its entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 55-50-321(c)(1), is amended by adding the following language to the end thereto:

Any applicant for a Tennessee driver license who desires the assistance of an interpreter in order to make application for a license and complete the required application shall be responsible for procuring such assistance.

On motion, Amendment No. 1 was adopted.

Rep. Kernell moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2341 by adding the following sentence to the end of the amendatory language in Section 1:

Provided, however, nothing contained within the provisions of this act shall be construed or implemented in any manner which violates the provisions of the Americans With Disabilities Act, 42 U.S.C. 12101 et. seq.

On motion, Amendment No. 2 was adopted.

Rep. Kerr moved the previous question, which motion prevailed.

Rep. Burchett moved that **House Bill No. 2341**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	84
Noes	7
Present and not voting	3

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hassell, Head, Hicks, Hood, Huskey, Jones U., Kent, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 84.

Representatives voting no were: Brooks, Hargrove, Maddox, Miller, Ritchie, Towns, Turner (Shelby) -- 7.

Representatives present and not voting were: Chumney, Cooper, Kernell -- 3.

A motion to reconsider was tabled.

Senate Bill No. 3094 -- Tennessee Housing Development Agency - Increases amount to be retained in THDA housing program fund from \$6 million to \$8 million for fiscal year ending 6/30/98. Amends TCA Section 13-23-402. by *Atchley. (*HB2880 by *McDaniel, *Kent)

Further consideration of Senate Bill No. 3094 previously considered on today's Calendar at which time the Senate Bill was substituted for the House Bill and the House adopted Amendment No. 1.

Rep. McDaniel moved that Senate Bill No. 3094, as amended, be passed on third and final consideration.

Rep. McDaniel moved that **Senate Bill No. 3094**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	93
Noes	3
Present and not voting	1

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Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Brooks, Towns, Turner (Shelby) -- 3.

Representatives present and not voting were: Kernell -- 1.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2679 -- Criminal Offenses - Increases from Class C to Class A misdemeanor punishment for offense of failing to stop upon approaching school bus; imposes mandatory \$250 fine for first such offense and \$250-\$2,500 fine for subsequent offenses. Amends TCA Section 55-8-151. by *Langster, *Halteman Harwell, *Pruitt, *Jones, S., *Arriola, *Ferguson, *DeBerry L, *Jones U (Shelby), *Garrett, *Armstrong, *Odom, *Cooper B, *Caldwell, *Brooks, *Bone, *West, *Ridgeway, *Cole (Carter), *Pinion, *Eckles, *Rinks, *Kent, *McMillan, *McDonald, *Bowers, *Walley, *Lewis, *Head, *Fitzhugh, *Miller L, *DeBerry J, *Fowlkes. (*SB2616 by *Haynes, *Miller J)

Senate Amendment No. 1

AMEND House Bill No. 2679 by deleting subdivision (B) from Section 1 and substituting instead the following:

(B) It is a Class B misdemeanor punishable only by a fine for any person to fail to comply with the provision of this subsection requiring a motor vehicle to stop upon approaching a school bus.

Rep. Langster moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2679**, which motion prevailed by the following vote:

Ayes..... 91
Noes 3

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Bone, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Gunnels, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Goins, Haley, Hargett -- 3.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2483** -- Lands, Public - Authorizes acquisition, construction and maintenance of public art to be financed with general obligation bonds. Amends TCA Title 9, Chapter 21. by *Garrett. (SB2892 by *Henry, *Harper)

Senate Amendment No. 2

AMEND House Bill No. 2483 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 9-21-105(20)(A), is amended by adding the following language "public art," between the language "including any terminal storage and transportation facilities incident thereto," and the language "public buildings".

SECTION 2. Tennessee Code Annotated, Sections 9-21-109(1), is amended by adding the following language "art design services," between the language "architectural," and "inspection".

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Garrett moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 2483**, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr,

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Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2193 -- Sewage - Authorizes professional geologists to conduct percolation tests for subsurface sewage systems. Amends TCA Title 68, Chapter 221, Part 4. by *Sands. (*SB2185 by *Jordan)

Senate Amendment No. 1

AMEND House Bill No. 2193 By deleting in the amendatory language of Section 1 of the printed bill the language "registered professional environmentalist, professional geologist, or surveyor" and by substituting instead the language " registered professional environmentalist, professional geologist, registered environmental health specialist/registered sanitarian with more than five (5) years' experience in a subsurface sewage regulatory program and who has received credentials from the National Environmental Health Association, or surveyor".

Rep. Sands moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2193**, which motion prevailed by the following vote:

Ayes.....	95
Noes	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives voting no were: Boyer -- 1.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGES

House Bill No. 2787 -- Tennessee Wildlife Resources Agency - Authorizes executive director to establish agent fee, through competitive bidding contract procedures, for sale of licenses, permits and stamps by telephone or other electronic means. Amends TCA 70-2-106(b). by *Cross. (*SB2992 by *Gilbert)

Rep. Cross moved that the House to refuse to recede from its action in nonconcurring in Senate Amendment No. 1, to **House Bill No. 2787**, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED ON HOUSE BILL NO. 2787

Pursuant to **Rule No. 73**, Representative Cross moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 2787, which motion prevailed.

The Speaker appointed Representatives Cross, Fitzhugh and Bittle as the House members of the Conference Committee on House Bill No. 2787.

HOUSE ACTION ON SENATE MESSAGE

***Senate Bill No. 3262** -- Highway Signs - "Bill Morris Parkway," State Highway 385, Shelby County. by *Kyle, *Person, *Dixon, *Ford J, *Leatherwood, *Cohen, *Harper. (HB3313 by *Jones U (Shelby), *Haley, *Chumney, *Miller L, *Hassell, *Brooks, *DeBerry L, *Towns, *Pleasant, *DeBerry J, *Bowers, *Cooper B, *Scroggs, *Hargett, *Turner (Shelby), *Armstrong, *Kernell, *Kent, *Naifeh, *Rinks, *Kisber, *Hargrove, *Walley, *Maddox)

Rep. U. Jones moved that the House refuse to recede from its action in adopting House Amendment No. 1 to **Senate Bill No. 3262**, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2991 -- Taxes, Sales - Exempts from sales tax computer software used as tool in treating diagnosed learning disabilities. Amends TCA Title 67, Chapter 6, Part 3. by *DeBerry J. (*SB2653 by *Cohen)

Senate Amendment No. 1

AMEND House Bill No. 2991 by deleting the language in Section 1 in its entirety, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 67-6-314, is amended by adding the following new subsection:

() The sale of computer software, designed for the use in the treatment of individuals with a learning disability and having no residual value for any other purpose, that is prescribed by a licensed practitioner of the healing arts for use in the treatment of an individual.

Rep. J. DeBerry moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2991**, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on April 9, 1998:

House Bill No. 2916: by Rep. Hargrove

House Bill No. 3142: by Rep. Hargrove

House Bill No. 2286: by Rep. Phillips

House Bill No. 2482: by Rep. Stulce

House Bill No. 3222: by Rep. Stulce

House Bill No. 2070: by Rep. Walley

House Bill No. 3340: by Rep. Williams

RULES SUSPENDED

Rep. Hargrove moved to suspend the rules to allow House Bill No. 246 to be heard in House Conservation & Environment Committee, which motion prevailed.

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended for the purpose of introducing **House Resolution No. 188** out of order, which motion prevailed.

House Resolution No. 188 -- Memorials, Public Service - Major John Gregg. by *Hargrove.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hargrove, the resolution was adopted.

A motion to reconsider was tabled.

ENGROSSED BILLS

April 6, 1998

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 684.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 6, 1998

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 684; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 6, 1998

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 643, 646, 647, 648, 649 and 650; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS

April 6, 1998

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 684; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
April 6, 1998

The Speaker signed the following: House Joint Resolution(s) No(s). 684

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
April 6, 1998

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 684; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
April 6, 1998

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 684.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
April 6, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 88, 578, 580, 581, 582, 583, 584, 585, 586, 588 and 589; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Joint Resolution No. 88** -- General Assembly, Studies - Continues special joint committee study of 99th General Assembly (SJR 451) to study deinstitutionalization of mentally retarded persons and downsizing of populations of developmental centers. by *Haynes.

Senate Joint Resolution No. 578 -- Memorials, Academic Achievement - Julia Ann Whitaker, Valedictorian, E. B. Wilson Night School. by *Graves.

Senate Joint Resolution No. 580 -- Memorials, Academic Achievement - Brandon Lucy, 1998 Co-Salutatorian, Loretto High School. by *Springer.

Senate Joint Resolution No. 581 -- Memorials, Academic Achievement - Leslie Hill, Salutatorian, E.B. Wilson Night School. by *Graves.

Senate Joint Resolution No. 582 -- Memorials, Academic Achievement - Annie Glover, Valedictorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 583 -- Memorials, Academic Achievement - Heather Warren, Valedictorian, Springfield High School. by *Graves.

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Senate Joint Resolution No. 584 -- Memorials, Academic Achievement - Heather Walker, 1998 Salutatorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 585 -- Memorials, Academic Achievement - Amanda Ayers, Valedictorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 586 -- Memorials, Academic Achievement - Laurie Cook, Valedictorian, Springfield High School. by *Graves.

Senate Joint Resolution No. 588 -- Memorials, Academic Achievement - Claire Goodman, Co-valedictorian, Springfield High school. by *Graves.

Senate Joint Resolution No. 589 -- Memorials, Personal Occasion - Janice Marie Mars Green, 50th Birthday. by *Ford J, *Person, *Womack, *Springer, *Harper, *Cooper, *Burks, *Kurita, *Cohen.

ENGROSSED BILLS

April 6, 1998

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2244, 2341, 2892, 2902, 2906, 3009, 3083, 3100, 3217, 3400, 3401, 3402, 3404, 3405 and 3406, also, House Joint Resolution(s) No(s). 568, 575, 581, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672 and 675.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 6, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2061, 2418, 2769, 2771 and 2835; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 2061** -- Children - Revises from six to 12 years age of children prohibited from riding in open bed of pickup truck. Amends TCA Section 55-8-189. by *Cooper.

***Senate Bill No. 2418** -- Public Records - Clarifies that claim for and amount of compensation paid to attorney appointed by court to represent indigent is public record Amends TCA Title 40, Chapter 14. by *McNally, *Gilbert.

Senate Bill No. 2769 -- Local Government, General - Makes changes to local government real property tax deferrals (Chapter 659). Amends TCA Title 7, Chapter 64, Part 2. by *Person, *McNally.

Senate Bill No. 2771 -- Local Government, General - Makes changes to local government real property tax deferral provisions for persons 65 years of age or older (Chapter 831 deferral) Amends TCA Title 7, Chapter 64, Part 1. by *Person.

Senate Bill No. 2835 -- General Assembly, Directed Studies - Directs board of examiners in psychology to study special issues related to reciprocity in licensing psychologists from states bordering Tennessee. Amends TCA Title 63, Chapter 11. by *Ford J.

ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

RECESS MOTION

On motion of Rep, Hargrove, the House recessed until 2:00 p.m., Wednesday, April 8, 1998.